

Appl. No. 10/038,323
Amdt. Dated 12/27/2004
Reply to Office Action of September 30, 2004

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed September 30, 2004. Allowance of the pending claims is respectfully requested based on the amendments and remarks made herein.

Allowable Subject Matter

Claims 7, 15 & 24 were objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form. In response, Applicants have placed claims 7, 15 and 24 into independent form. More specifically, claim 7 now includes limitations from independent claim 1 and intervening dependent claim 4. Moreover, claims 15 and 24 now include limitations of claims 11-12 and 18 & 21, respectively.

As a result, claims 1, 4, 11-12, 18 and 24 have been cancelled without prejudice. Claims 2, 4-6, 9-10, 13-14, 17, 19-20, 22-23, 25-27 have been amended, in part to alter the dependency of such claims and to correct antecedent basis informalities.

In light of the Applicant respectfully requests that independent claims 7, 15 and 24 and all claims dependent thereon are in condition for allowance.

Rejection Under 35 U.S.C. § 103

Claims 1-6, 8-14, 16-23, and 25-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Blomgren (5,828,578). Applicants respectfully traverse the rejection because a *prima facie* case of obviousness has not been established. However, further arguments concerning the grounds for traversing the rejection are moot based on the allowability of claims 7, 15 and 24 and those claims dependent thereon.

Furthermore, independent claim 28 is now in condition for allowance based on the fact that limitations similar to those set forth in objection claim 7 have been added to amended independent claim 28. In particular, independent claim 28 now reads:

a first firmware interface to detect an event associated with a processor within a data processing system, said processor including a first processor core and a second processor core in a functional redundancy check mode by concurrently executing a thread on said first processor core and said second processor core;

a second firmware interface to initiate a platform-independent device removal sequence for said processor in response to a detection of said event associated with said processor to save a context of said thread in response to initiation of said platform-independent device removal sequence.... (Emphasis added).

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In light of the foregoing, withdrawal of the § 103(a) rejection as applied to claims 2-3, 5-6, 8-10, 12-14, 16-17, 19-20, 22-23, and 25-30 are now in condition for allowance

Conclusion

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Date: 12/27/2004

Susan McFarlane

12/27/2004

Date